

REMARKS

Claims 8-15 and 17-24 are pending in this application.

Claims 8-15 and 17-22 are rejected.

Claims 8, 10-11, 14, 15, and 20 are currently amended.

Claims 23 and 24 are new.

No new matter is added.

Claims 8-15 and 17-24 remain in the case for consideration.

Applicant requests reconsideration and allowance of the claims in light of the above amendments and following remarks.

Claim Rejections – 35 U.S.C. § 112

Claims 14 and 17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 14 is amended to correct the error of antecedence, by changing “the sidewalls” to “sidewalls”. Withdrawal of this rejection is respectfully requested.

Claim Rejections – 35 U.S.C. § 102

Claims 8, 11, 15 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Lu (U.S. 5,362,665).

Applicant respectfully traverses the rejection.

Claim 8 is amended to better define the intended meaning of the claim, by replacing “critical dimension” with “width”. The amendment now recites the limitation that the first portion of the gate electrode has a smaller width than that of the second portion.

Lu fails to anticipate the above limitation of claim 8. As the Examiner points out in the pending Office Action, referring to Lu’s FIG. 6B, the first portion of the gate electrode includes gate electrode 28 and insulation layer 24, both of which are apparently above the semiconductor substrate 12. Continuing, the second portion of the gate electrode is the portion of the gate electrode 28 that is in the hole (trench) 14. Clearly, Lu shows a first portion having a greater width than that of the second portion, contrary to what is recited in claims 8 and 20. Thus, Lu does not show, teach, or suggest all the elements of claim 8. Therefore, Applicants request withdrawal of the rejection for this claim.

Claims 11, 15, and 19 depend from claim 8 and inherently include all of the limitations of the base claim. As discussed above, the prior art does not teach the limitations of the base claim much less the further embodiments of the dependent claims. Therefore, claims 11, 15, and 19 are allowable for their dependency and their own merits. Allowance of these claims is requested.

Claim Rejections – 35 U.S.C. § 103

Claims 9, 10 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lu in view of Ishikawa, et al. (U.S. 6,482,701).

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lu in view of Durcan, et al. (U.S. 6,780,732).

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lu in view of Chang, et al. (U.S. 6,509,233).

Applicant respectfully traverses the rejections.

Claims 9, 10, 12, 13, and 18 depend from claim 8 and inherently include all of the limitations of the base claim. As discussed above, the prior art does not teach the limitations of the base claim much less the further embodiments of the dependent claims. Therefore, claims 9, 10, 12, 13, and 18 are allowable for their dependency and their own merits. Allowance of these claims is requested.

Claims 14, 17, 20 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lu in view of Cha (KR 2001-0064328).

Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lu and Cha as applied to claims 20 and 22 above, and further in view of Ishikawa.

Applicant respectfully traverses the rejection.

Claims 14 and 17 depend from claim 8 and inherently include all of the limitations of the base claim. As discussed above, the prior art does not teach the limitations of the base claim much less the further embodiments of the dependent claims. Therefore, claims 14 and 17 are allowable for their dependency and their own merits. Allowance of these claims is requested.

Claims 20 is amended the same as the amendment for claim 8, discussed above. Also discussed above, Lu fails to teach, show, or suggest that the first portion of the gate electrode has a smaller width than that of the second portion.

Additionally, claim 20 recites the limitation that a portion of the spacers extend into the semiconductor substrate. Lu also fails to show this, because spacers 32, in FIG. 8B, do not extend into the substrate 12. For at least these reasons, Applicants request withdrawal of the rejection for this claim.

Claims 21 and 22 depend from claim 20 and inherently include all of the limitations of the base claim. As discussed above, the prior art does not teach the limitations of the base claim much less the further embodiments of the dependent claims. Therefore, claims 21 and 22 are allowable for their dependency and their own merits. Allowance of these claims is requested.

New Claims

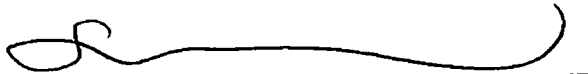
New claims 23 and 24 find support in, for example, FIG. 8 of the Specification.

In conclusion

For the foregoing reasons, reconsideration and allowance of claims 8-15 and 17-24 of the application as amended is solicited. The Examiner is encouraged to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

Respectfully submitted,

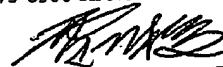
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